

Remarks

The Official Action rejected claims 1-30. Claims 1, 13, 24 and 27 have been amended and claim 8 has been canceled. Claims 1-7 and 9-30 are now pending in the present application. Applicant respectfully requests allowance of the pending claims.

Examiner Requests

Request for Prior Art

The Examiner requested any references known to qualify as prior art under 35 U.S.C. sections 102 or 103 with respect to the instant claims. The Examiner also indicated that this request does not require the Applicant to perform a search nor is the request intended to interfere with or go beyond that required under 37 C.F.R. 1.56 or 1.105. In response to the Examiner's request, the inventor was reminded of his duty under 37 C.F.R. 1.56 and was requested to submit any known prior art. Further, Applicant has elected to go beyond his duty under 37 C.F.R. 1.56 and has performed a basic prior art search. The references developed as a result of this search and the request of the inventor have been submitted in the accompanying information disclosure form in order to aid the Examiner in his examination of the present invention.

Support for Added Language

Examiner requested support be shown for language added to the claims on amendment. Support for the input-output device limitations added to claims 1, 13, 24, and 27 may be found in paragraph [0030] as well as numerous other places in the present application.

Fee and Certification Waiver

Applicant gratefully acknowledges the waiver of the fee and certification requirements for the accompanying information disclosure statement.

Claim Rejections – 35 USC § 102

The Official Action rejected claims 1-30 under 35 USC 102(e) as being anticipated by Mackenthun (US 6,374,332). Applicant has amended claims 1, 13, 24 and 27 and canceled claim 8. Applicant respectfully requests the rejection of claims 1-7 and 9-30 be withdrawn.

As is well-established, in order to successfully assert a *prima facie* case of anticipation, the Official Action must provide a single prior art document that includes every element and limitation of the claim or claims being rejected. Therefore, if even one element or limitation is missing from the cited document, the Official Action has not succeeded in making a *prima facie* case.

Each of claims 1-7 and 9-30 require receiving a transaction from **an input-output device** and fetching ownership of a memory content based upon an address of the transaction received from the **input-output device**. In contrast, Mackenthun describes a cache control system for processing ownership requests from instruction processors 350. (See, column 8, lines 9-42 of Mackenthun.) Mackenthun, however, appears to be silent as to fetching ownership for transactions of **input-output devices** as required by the inventions of claims 1-7 and 9-30. Since Mackenthun does not disclose each and every limitation of claims 1-7 and 9-30, Mackenthun does not anticipate the invention of claims 1-7 and 9-30. Applicant respectfully requests the rejection of claims 1-7 and 9-30 be withdrawn.

Each of claims 7, 20, 22 and 29 are further allowable since they require fetching ownership based upon hub identifications associated with transactions. Again, Mackenthun appears to be silent in regard to hub identifications and basing ownership fetching upon such hub identifications. Applicant respectfully requests the rejection of claims 7, 20, 22 and 29 be withdrawn for this further reason.

Applicant respectfully requests that if the Examiner elects to maintain this rejection that the Examiner point out with more specificity (e.g. column and line) where Mackenthun teaches fetching ownership for transactions of input-output devices. Applicant further requests that the Examiner point out with more specificity where Mackenthun teaches using hub identifications for ownership fetching.

Conclusion

The foregoing is submitted as a full and complete response to the Official Action mailed July 1, 2004. Applicant submits that the application is in condition for allowance. Reconsideration is requested, and allowance of the pending claims is earnestly solicited.

Should it be determined that an additional fee is due under 37 CFR §§1.16 or 1.17, or any excess fee has been received, please charge that fee or credit the amount of overcharge to deposit account #02-2666. If the Examiner believes that there are any informalities which can be corrected by an Examiner's amendment, a telephone call to the undersigned at (503) 439-8778 is respectfully solicited.

Respectfully submitted,


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